STATE OF SOUTH CAROLINA   )
COUNTY OF RICHLAND   )

BEFORE THE STATE ETHICS COMMISSION

)
IN THE MATTER OF:)
COMPLAINT C2019-019   )
)
Mare Baracco,   )
     Complainant.   )
)
Joshua Gruber,   )
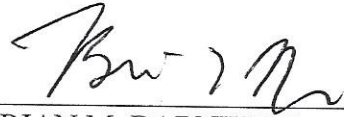   Respondent.   )
_____)

ORDER OF DISMISSAL

Pursuant to Section 8-13-320(10), the State Ethics Commission (Commission) reviewed the above-captioned complaint and found probable cause to charge Joshua Gruber (Respondent) with violating the South Carolina Ethics, Government Accountability, and Campaign Reform Act of 1991 (Ethics Act). On September 19, 2019, before a Hearing Panel consisting of Commissioners Samuel L. Erwin, Brandolyn Thomas Pinkston, and Brian M. Barnwell, Hearing Chair, the Commission moved to dismiss C2019-019, without prejudice, based on the following:

1. The above-captioned complaint was filed on October 3, 2018. The complaint alleged Respondent engaged in activities that violated the Ethics Act during 2018.

2. On October 9, 2018, pursuant to Section 8-13-320(10)(a), the Commission forwarded a copy of the complaint to the Respondent along with a form letter advising him that there were sufficient facts to warrant an investigation.

3. The form letter referred Respondent to the Commission's website for additional information on complaint procedures, but did not specifically inform him of the right to obtain counsel as required by Section 8-13-320(10)(a).

4. Following a finding of probable cause, Respondent questioned whether the failure to inform him of this right implicated due process concerns.

5. Out of an abundance of caution and in the interest of judicial economy, the Commission thereafter moved to dismiss the above-captioned complaint without prejudice.

Based on the foregoing, the Panel hereby grants the Motion to Dismiss C2019-019 in accordance with Section 8-13-320(10)(j).

AND IT IS SO ORDERED THIS 19 DAY OF September 2019.

STATE ETHICS COMMISSION

BRIAN M. BARNWELL
HEARING CHAIR

Columbia, South Carolina